

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R. No.3042 of 2018
Date of Decision: 08.05.2018

Vishnu Goel

.... Petitioner

Versus

Union Bank of India & ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Vinod Kumar Verma, Advocate,
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Article 227 of the Constitution of India, petitioner has laid challenge to order dated 20.01.2018 (Annexure P-1) of the trial Court, whereby his evidence has been closed by Court order.

Learned counsel for the petitioner, without arguing on merits, prays for grant of one opportunity to the petitioner-plaintiff to tender only the documents, which are certified copies of proceedings and orders of Debt Recovery Tribunal, against which no doubt can be raised, being official documents of a Tribunal, constituted by the Government of India, with the undertaking that the petitioner will not lead any oral evidence. He *inter alia* contends that in case, the petitioner is not permitted to tender the above documents, he would suffer irreparable loss.

Considering overall facts and circumstances, but without commenting on the merits of the case, in the interest of justice, equity, good conscience and fair play, the impugned order is set aside. The petitioner-plaintiff is permitted to tender his entire documents before the trial Court on 25.05.2018 for which date the trial Court would adjourn the case, subject to payment of costs

of ₹5,000/-, to be deposited with the Member Secretary, District Legal Services Authority, Jagadhari at Yamuna Nagar. It is clarified that in case, the petitioner-plaintiff would fail to tender his documents on the date fixed, this order shall be deemed to have been recalled and impugned order shall be treated as upheld.

Disposed of with the above observations.

This order has been passed without issuing notice to the respondents with a view to impart justice to the parties and to save the huge expenses which may be incurred by the respondents and also to avoid unnecessary delay in the adjudication of the matter. Still, if dissatisfied, the respondents may move this Court for recalling this order within six weeks from today.

A copy of this order be also sent to Member Secretary, District Legal Services Authority, Jagadhari at Yamuna Nagar, to recover the costs.

08.05.2018
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No